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5. Answering Paragraph 5 of the Petition for Cancellation, Respondent denies each of the allegations contained therein.

6. Answering Paragraph 6 of the Petition for Cancellation, Respondent denies each of the allegations contained therein.

7. Answering Paragraph 7 of the Petition for Cancellation, Respondent denies each of the allegations contained therein.

8. Answering Paragraph 8 of the Petition for Cancellation, Respondent denies each of the allegations contained therein.

9. Answering Paragraph 9 of the Petition for Cancellation, Respondent denies the allegation that Quiksilver incorporated the ROXY party of Kymsta's ROXYWEAR mark in Quiksilver's registered mark for clothing. Respondent admits the allegation that Kymsta's junior tops and bottoms clothing are presently marketed to the same consumers through the same channels of trade as Quiksilver's clothing offered in connection with the registered mark.

10. Answering Paragraph 10 of the Petition for Cancellation, Respondent admits the allegation that Kymsta's ROXYWEAR mark as presently used in connection with juniors tops and bottom clothing is confusingly similar to Quiksilver's registered mark. Respondent further admits that Kymsta's mark as presently used on juniors tops and bottoms clothing is likely to cause confusion among consumers and retail customers about the origins of Kymsta's junior tops and bottoms clothing. Respondent admits that actual confusion has occurred between Quiksilver's registered mark and Kymsta's ROXYWEAR mark.

11. Answering Paragraph 11 of the Petition for Cancellation, Respondent denies each of the allegations contained therein.

AFFIRMATIVE DEFENSES

Registrant alleges the following affirmative defenses:

FIRST AFFIRMATIVE DEFENSE

12. Opposer's alleged ROXYWEAR mark was not in use in commerce prior to Registrant's mark.

SECOND AFFIRMATIVE DEFENSE

13. Opposer's Petition to Cancel is barred by the doctrines of laches, estoppel and acquiescence. Opposer filed a Letter of Protest on January 28, 1998. The Letter of Protest was

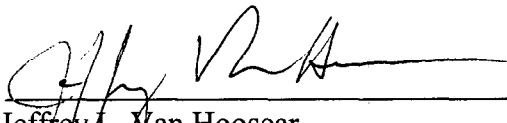
denied on September 29, 1998. Petitioner waited five (5) years since it first learned of Registrant's application to bring this Petition.

WHEREFORE, Respondent, Quiksilver, Inc., respectfully requests the Petition for Cancellation be dismissed with prejudice and the U.S. Registration No. 2,427,898 be maintained on the Principal Register.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

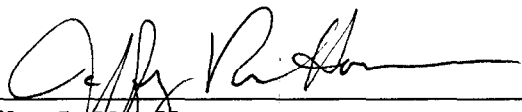
Dated: April 25, 2003

By: 
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Attorneys for Respondent, Quiksilver, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing Answer to Petition for Cancellation upon Petitioner's counsel by depositing one copy thereof in the United States Mail, first-class postage prepaid, on April 25, 2003, addressed as follows:

William J. Robinson
James D. Nguyen
FOLEY & LARDNER
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Los Angeles, CA 90067


Jeffrey L. Van Hoosear